

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SIPP INTERNATIONAL INDUSTRIES, INC.,
PLAINTIFF,
v.
GREGG PEARSON, *et al.*,
DEFENDANTS.

Case No. 2:14-cv-00054-GMN-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

This matter is before the court on Plaintiffs failure to comply with this court's Order (Dkt. #11) and Order to Show Cause (Dkt. #13).

On February 14, 2014, the court entered an Order (Dkt. #11) requiring Plaintiff to (1) designate counsel of record authorized to appear in this action on Plaintiff's behalf on or before February 28, 2014, and (2) file a Certificate of Interested Parties two weeks later in compliance with Local Rule 7.1-1 on or before March 14, 2014. The order warned Plaintiff that its failure to comply "may result in the issuance of an order to show cause why sanctions should not be imposed." *Id.* Plaintiff failed designate counsel on its behalf, failed to file its Certificate of Interested Parties and did not request an extension of time in which to comply with the court's Order (Dkt. #11).

That Order (Dkt. #11) was returned on February 24, 2014 as undeliverable. The envelope was marked "Moved, Left no Address – Unable to Forward – Return to Sender." No new address was available, and the clerk's office did not resend the Order (Dkt. #11).

On March 24, 2014, the court entered an Order to Show Cause (Dkt. #13) based on Plaintiffs' failure to comply with the court's previous Order (Dkt. #11). The court directed Plaintiffs to show cause in writing no later than April 4, 2014, why sanctions should not be imposed for Plaintiff's failure to: (1) keep the court apprised of its current address; (2) designate

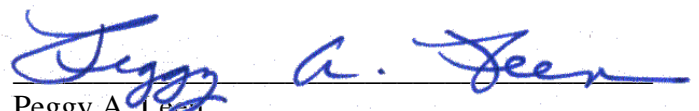
1 counsel of record authorized to appear in this action on its behalf; (3) file a Certificate of
2 Interested Parties; and (4) comply with this court's Order (Dkt. #11). The Order to Show Cause
3 (Dkt. #13) warned the Plaintiff that failure to comply with this court's Order (Dkt. #13) would
4 result in a recommendation to the district judge that this case be dismissed. Plaintiff failed to file
5 a response to the Order to Show Cause (Dkt. #13), and has not requested an extension of time in
6 which to do so.

7 Plaintiff's willful failure to comply with the court's Orders is an abusive litigation
8 practice that has interfered with the court's ability to hear this case, delayed litigation, disrupted
9 the court's timely management of its docket, wasted judicial resources, and threatened the
10 integrity of the court's orders and the orderly administration of justice. Sanctions less drastic
11 than dismissal are unavailable because Plaintiff has wilfully refused to comply with multiple
12 court Orders and the Local Rules of Practice.

13 Accordingly,

14 **IT IS RECOMMENDED** that Plaintiffs' Complaint be **DISMISSED** unless Plaintiff:
15 (1) apprises the court of its current address; (2) designates counsel of record authorized to appear
16 in this action on its behalf; and (3) files a Certificate of Interested Parties no later than **April 30,**
17 **2014.**

18 Dated this 16th day of April, 2014.

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20 Peggy A. Leen
21 United States Magistrate Judge
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